

Applicant : Adam J. SIMONOFF  
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### REMARKS

Claims 85, 87-92, 94-99, 101-106, and 108-112 are pending in the application. Claims 85, 87, 88, 92, 94, 95, 99, 101, 102, 103, 106, 108, 109, and 110 have been amended by this response and claims 86, 93, 100, and 107 have been cancelled. Reconsideration and allowance of Applicant's claims are respectfully requested in light of this amendment and the following remarks.

Claims 85-112 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections.

In particular, the Action asserts the omitted structural relationships are: "the method of determining which whiteboard has been there for the longest period of time, and more specifically in regards to determining which whiteboard has the highest privilege level. Not only is it unclear which determining steps goes first and which step goes second, it is also unclear whether the determining step occurs immediately after or for a subsequent period of time after detecting the new whiteboard client, and it is further unclear in regards to the time difference between the determining, receiving, and transmitting steps."

Accordingly, claims 85, 92, 99, and 106 have been amended to clarify that the whiteboard client that has been a part of the session for the longest period of time is determined to be the whiteboard client that has been part of the session for the longest period of time "upon detection of the new whiteboard client." With regard to when the determining step occurs, Applicant respectfully submits that the scope of the claim may be determined without the recitation of when the determination takes place. As recited, the determined whiteboard client is the whiteboard client that has been part of the session for the longest period of time "upon detection of the new whiteboard client." Whether the determination is made immediately upon detection of the new client or at a later time is not necessary to determine the scope of the claim. Furthermore, the time difference between the determining, receiving, and transmitting steps also is irrelevant to determining or understanding the scope of the claims.

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The Action also indicates that it is "unclear whether and in what proportions other clients and/or the server provide to the new whiteboard client, since the language of 'receiving . . . one or more objects presented by the whiteboard' indicates that the oldest client transmits only a portion of the whiteboard, and therefore other clients perform the updating process. Clarification of these issues is necessary." Applicant respectfully disagrees that the claim language "receiving . . . one or more objects presented by the whiteboard" indicates that "only a portion" of the whiteboard is transmitted. As recited, one or more objects presented by the whiteboard of the determined whiteboard client are received from the determined whiteboard client. Therefore, as recited, one object of the whiteboard, multiple objects of the whiteboard, or all objects of the whiteboard may be received from the determined whiteboard client and transmitted. In addition, there is no recitation of an "updating process" and no recitation of other clients performing an "updating process." There is no explicit recitation that all objects in the white board session have to be transmitted to the new whiteboard client; however, all objects may be transmitted.

The Action also indicates that "while the claims state 'transmitting each of the received objects having a privilege level that is less than or equal to the predetermined privilege level,' it is unclear as to whether objects greater than the privilege level are also transmitted, and further whether the client or the whiteboard server makes this determination." Accordingly, Applicant has amended the claims to clarify and recite transmitting "only received objects having a privilege level that is less than or equal to the determined privilege level of the new whiteboard client." As to what makes the determination; claims 85 and 92 has been amended to clarify and recite that the white board server makes the determination (claims 99 and 107 already make this distinction).

With regard to claim 91 (and by association claims 98, 105, and 112) the Action indicates "the term 'vector' . . . is used by the claim to mean 'user preferences', while the accepted meaning is 'a one-dimensional array.' The term is indefinite because the specification does not clearly redefine the term." It is respectfully submitted that the language "vector" is not used to mean "user preferences" as asserted, and it is not understood how this definition or meaning was arrived at. The claim recites that "receiving one or more objects that are determined using a vector of the determined client," in other words a "vector" is used in the determination of one or more objects which are subsequently received. Support for the use of vector is found in

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Applicant's specification, for example, at pages 33, 34, and 37. For example, as described beginning at page 33, line 11, selection of an object from the resource list creates an empty wrapper that assigned a unique identifier including an object label. The empty wrapper is used to generate a wrapper object. The wrapper objects are added to a vector holding all the wrapper objects drawn on a local whiteboard client. The client and server keep track of all wrapper objects to be displayed in their respective order via the vector. The vector stores a unique hash table lookup key for each object. Further examples of the user of the vector can be found beginning at the last paragraph of page 37. Therefore, it is submitted that the term vector is used within its ordinary meaning and that it is further adequately described and supported by Applicant's specification.

In light of the above remarks and amendments to the claims, it is respectfully requested that the rejection of claims 85, 87-92, 94-99, 101-106, and 108-112 under 112, 2<sup>nd</sup> paragraph be reconsidered and withdrawn.

Claims 85, 92, 96, 97, 99, 103, 104, 106, 110, and 111 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,724,508 to Harple Jr. et al. (Harple). This rejection is respectfully traversed.

Harple describes a system that uses platform and subsystem independent modules for collaborative computing applications. The system includes a virtual network module, or conference engine 40, which serves as an interface between collaborative computing applications 34 and the network 50. The conference engine presents the same interface for collaborative computing applications regardless of the computer platform and network technology with which the collaborative application is used. The conference engine provides for tightly and loosely coupled sessions between the distributed application components, multiplexed message and data distribution, and distributed clipboard. The conference engine also provides conference management functions. Application modules, such as audio and video tools and a conference manager, connect to the conference engine through inter-process control (IPC) mechanisms. The IPCs are operating system dependent. The application modules may be linked to an applications library that provides the services required to communicate with the conference engine. Collaborative computing applications are built around one or more of the application modules, and can include user interface modules, which control the interface between the user and

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application modules. An applications program interface (API) provides the services required for the user interface modules to communicate with the application modules.

Applicant's independent claims 85, 92, 99, and 106 recite, among other things, the determination of which whiteboard client from a plurality of whiteboard clients in an existing whiteboard session that has been part of the whiteboard session for the longest period of time upon detection of a new whiteboard client. It is respectfully submitted that Harple neither describes nor suggests at least this feature of Applicant's claims.

As stated in the Action "Harple does not expressly disclose determining the client that has been part of the session for the longest period of time." The action goes on to state "Examiner takes Official Notice (see MPEP § 2144.03) that 'the session initiator/manager fulfills the definition of oldest client' in a computer networking environment was well known in the art at the time the invention was made." Applicant respectfully traverses this assertion, therefore a reference should be provided in support of this position or signed affidavit of fact attesting to the Examiner's own personal knowledge as of the time of the invention, as stated in MPEP Section 2144.03. Furthermore, Applicant cannot identify any support for this assertion in Harple. For example, it appears the session initiator could leave a session where there are other active members which continue the session (See, e.g., col. 4 ll. 49-55). It appears that only when an initiator leaves and invited members are in the "pending" state or "accepted" (and not those in an "active" state) are those invited members transitioned to a "dead" state (See, e.g., col. 4, ll. 56-58). In such a case, the initiator would not necessarily be "the oldest client" as asserted. Nor is there any description of making a determination of the oldest client upon adding a new member to the active state. In addition, there does not appear to be any need in the system of Harple to make such a determination, therefore it is not understood why such a modification would be made.

However, even if the assertion made in the Action were true that "At the time the invention was made, one of ordinary skill in the art would have determined that there is no circumstances to which a client other than the initiator may be considered the oldest," then Applicant asserts that there would be no need to make Applicant's recited determination of which whiteboard client in the existing whiteboard session that has been part

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of the whiteboard session for the longest period of time upon detection of the new whiteboard client since there would be no need to make such a determination as the initiator would always be the oldest client.

Claims 96, 97, 103, 104, 110, 111 depend from claims 92, 99, and 106 respectively and are believed to be allowable for at least the reasons given above.

It is believed that claims 89 and 90 were to be included in this rejection; however, no rejection of these claims were made. Regardless, claims 89 and 90 depend from claim 85 and are believed to be allowable for at least the reasons given above for this claim.

It is respectfully submitted that Harple does not establish a *prima facie* case of obviousness under Section 103 since Harple does not describe or suggest each element of Applicant's claims. Therefore, it is respectfully requested that the rejection of claims 85, 92, 96, 97, 99, 103, 104, 106, 110, and 111 be reconsidered and withdrawn.

Claims 86, 88, 91, 93, 95, 98, 100, 102, 105, 107, 109, and 112 rejected under 35 U.S.C. § 103(a) as being unpatentable over Harple in view of U.S. Patent No. 6,359,711 to Cole et al. (Cole). This rejection is respectfully traversed.

The rejection of claims 86, 91, 100, and 107 have been rendered moot by the cancellation of these claims.

It is respectfully submitted that Cole does not provide for any of the deficiencies noted above for Harple. As a result, it is respectfully submitted that claims 88, 93, 95, 98, 102, 105, 109, and 112 are allowable for at least the reasons given above, and reconsideration and withdrawal of the rejection is respectfully requested.

Claims 87, 94, 101, 108 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Harple and Cole in view of U.S. Patent No. 6,408,336 to Schneider et al. (Schneider). This rejection is respectfully traversed.

It is respectfully submitted that Schneider does not provide for any of the deficiencies noted above for Harple and Cole. As a result, it is respectfully submitted that claims 87, 94, 101, 108 are allowable for at least the reasons given above, and reconsideration and withdrawal of the rejection is respectfully requested.

Claims 103 and 110 were amended to correct a minor typographical error and not for reasons related to patentability.

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It is respectfully submitted that all claims are in condition for allowance, and early notice of the same is respectfully solicited. If any questions remain, the Examiner is invited to contact the undersigned attorney at the telephone number listed above. Please apply any charges or credits to deposit account 50-0967.